

**441—201.4(600) Application.** Application for presubsidy or subsidy for a special needs child in the guardianship of the department shall be made on Form 470-0744, Application for Subsidy, at the time of the adoptive placement of the child, or at any time in the adoptive process before finalization of the adoption.

**201.4(1)** The prospective adoptive family residing in Iowa who has been studied and approved for adoptive placement or a family residing outside of the state of Iowa studied and approved by a governmental child-placing agency or a licensed child-placing agency in that state, may apply for subsidy for an eligible Iowa child.

**201.4(2)** Withdrawal of the application for the subsidy shall be reported to the department immediately.

**201.4(3)** The effective date for the Adoption Subsidy Agreement will be the date the agreement is signed by the adoptive parents and a representative of the department, which may be the date the child is placed in the adoptive home or any date up to and including the date the adoption is finalized. The agreement shall state the amount of the presubsidy or subsidy, the frequency and duration of payments and the conditions under which the agreement may be terminated.

**201.4(4)** An application for subsidy cannot be taken after the child is adopted except when there are facts relevant to a child's eligibility that were not presented before the finalizing of the adoption.

*a.* Upon receiving verification that the child was eligible before the child's adoption, the department may conduct an administrative review of the facts and may determine the child an eligible special needs child. Eligibility will be effective after Form 470-0744, Application for Subsidy, is completed and Form 470-0749, Adoption Subsidy Agreement, is signed by all parties.

*b.* Requests for determining a child an eligible special needs child after the adoption is finalized shall be forwarded with verification of eligibility to the division of child and family services, adoption program. The division shall conduct an administrative review of eligibility factors and render a written decision regarding the child's eligibility as a special needs child within 30 days of receipt of request and verification materials unless additional verification is requested. If additional verification is requested, a decision shall be reached within 30 days of receipt of additional verification materials.

**201.4(5)** A child in the guardianship of a licensed child-placing agency may be eligible for adoption subsidy when one of the following conditions is met:

*a.* The child receives or is eligible to receive SSI based on a diagnosed disability, or

*b.* The child received federally funded adoption subsidy in a prior adoption.

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